

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

MATRIL NORRIS

(b) County of Residence of First Listed Plaintiff PHILADELPHIA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
LAW OFFICES OF MITCHELL CLAIR
MICHELL CLAIR, ESQUIRE
790 PENLLYN PIKE, SUITE 206
BLUE BELL, PA 19422
610-940-5400

DEFENDANTS

HARRAH'S ATLANTIC CITY PROPCO, LLC AND HARRAH'S ATLANTIC CITY OPERATING COMPANY, LLC

County of Residence of First Listed Defendant ATLANTIC
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC Section 1332
Brief description of cause:
Slip and Fall

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE 8/24/16 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 2019 Deveraux St., Phila., PA 19149
 Address of Defendant: 777 Harrah's Blvd, Atlantic City, NJ 08401
 Place of Accident, Incident or Transaction: Harrah's, Atlantic City, NJ
 (Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
 (Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities? Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
 Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
 Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
 Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
 Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
 (Please specify) _____

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☒ Other Personal Injury (Please specify) - premises
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
 (Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, _____, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: _____

Attorney-at-Law

Attorney I.D.# _____

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 8/24/16 _____

Attorney-at-Law

49492
 Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Mattil Norris

CIVIL ACTION

Harrah's Atlantic City Propco,
LLC and Harrah's Atlantic City Operating Company, LLC ^{v.} NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. (X)
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

<u>8/24/16</u>	<u>Mitchell Clair</u>	<u>Plaintiff</u>
Date	Attorney-at-law	Attorney for
<u>610-940-5400</u>	<u>267-419-8274</u>	<u>McClairlaw@gmail.com</u>
Telephone	FAX Number	E-Mail Address

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MATRIL NORRIS	:	CIVIL ACTION NO:
AND	:	
BRENETTA NORRIS, h/w	:	
2019 DEVEREAUX AVENUE	:	
PHILADELPHIA, PA 19149	:	
	:	
V.	:	
	:	
HARRAH'S ATLANTIC CITY PROPCO,	:	
LLC	:	
777 HARRAH'S BOULEVARD	:	
ATLANTIC CITY, NJ 08401	:	
AND	:	
HARRAH'S ATLANTIC CITY	:	
OPERATING COMPANY, LLC	:	
777 HARRAH'S BOULEVARD	:	
ATLANTIC CITY, NJ 08401	:	

CIVIL ACTION COMPLAINT

1. Plaintiff, Matril Norris is an adult individual who resides at 2019 Devereaux Avenue, Philadelphia, PA 19149.

2. Plaintiff, Brenetta Norris is an adult individual who resides at 2019 Devereaux Avenue, Philadelphia, PA 19149.

1. Defendant, Harrah's Atlantic City Propco, LLC is a limited liability New Jersey corporation with a principal place of business at 777 Harrah's Boulevard, Atlantic City, NJ 08401, and not incorporated in Pennsylvania.

2. Defendant, Harrah's Atlantic City Operating Company, LLC is a limited liability New Jersey corporation with a principal place of business at 777 Harrah's Boulevard, Atlantic City, NJ 08401, and not incorporated in Pennsylvania.

3. Jurisdiction is founded upon diversity of citizenship as the Plaintiffs are citizens of the Commonwealth of Pennsylvania and the Defendants' place of business is in the State of New Jersey.

4. The amount in controversy is in excess of \$75,000.00.

5. A Jury of 12 is demanded.

6. At all times relevant and material hereby, Defendants owned and/or operated the Harrah's Atlantic City hotel and casino located at 77 Harrah's Boulevard, Atlantic City, NJ 08401.

7. On or about September 4, 21014, plaintiff, Matril Norris, lawfully and properly walked into the bathroom of his hotel room located at 777 Harrah's Boulevard, Atlantic City, NJ 08401, when he was caused to slip, trip, stumble and/or fall as a result of a water on the floor, thereby causing him to suffer severe and permanent injuries, hereinafter more fully set forth.

8. The carelessness, recklessness or negligence of the defendant jointly and separately, consisted, *inter alia*, of the following:

- a. failing to properly and adequately maintain said premises;
- b. causing and/or permitting the premises to be an effective and hazardous condition;
- c. failing to properly and adequately maintain the premises so as to prevent the dangerous and hazardous condition to exist;
- d. failing to warn plaintiff of said dangerous and hazardous condition;
- e. causing and/or permitting a dangerous and hazardous condition to exist, which the defendant knew or should have known constituted an unreasonable risk of harm to plaintiff;

- f. failing to properly and adequately warn the plaintiff of the aforesaid dangerous and hazardous condition;
- g. causing, allowing and permitting the said hazardous and dangerous condition to exist, so as to constitute a menace, danger, nuisance and trap to said premises;
- h. failing to post and/or correct and/or set out proper and adequate signs, cones, barriers of warning, in, on and about this a dangerous condition;
- i. failing to properly inspect, maintain and control said parking lot;
- j. Creating and permitting a perceivable risk of harm;
- k. negligently designing, constructing, preparing and maintaining said premises;
- l. failing to repair, rebuild and/or improve the area of the said premises where plaintiff fell; and
- m. failing to make said premises reasonably safe for its intended purpose.

COUNT I
MARTRIL NORRIS v. HARRAH'S

9. Paragraphs 1 through 8 are hereby incorporated by reference as though fully set forth at length herein.

10. By reason of all the foregoing, plaintiff, Matril Norris, suffered severe and permanent injuries to his head, neck, back, arms and legs, bones, muscles, tendons, ligaments, nerves and tissues of the head, neck, back, arms and legs, including, but not limited to permanent loss of body function, nervous shock and aggravation and/or exacerbation of all known and unknown pre-existing medical conditions. Plaintiff suffered internal injuries of an unknown nature, he suffered severe aches, pains, mental anxiety and anguish and a severe shock to his entire nervous system and other injuries the full extent of which is not known.

11. Due to all the foregoing, Plaintiff, Matril Norris, suffered severe and permanent injuries to his head, neck, back, shoulders, arms, legs and body, bones, muscles, tendons, ligaments of his neck, back, posterior thighs, arms, legs, and body, loss of bodily functions, serious permanent disfigurement, nervous shock and aggravation and/or exacerbation of all known and unknown pre-existing medical conditions, internal injuries of an unknown nature, severe aches, pains, mental anxiety and anguish and a severe shock to his entire nervous system with other injuries the full extent of which is not yet known. He has in the past and will in the future undergo severe pain and suffering as a result of which he has been in the past and will in future be unable to attend to his usual duties, all to his great financial detriment and loss.

12. Due to all the foregoing, Plaintiff, Matril Norris, has been compelled, in order to effectuate a cure for the aforesaid injuries, to expend large sums of money for medicine and medical attention and may be required to expend additional sums for the same purpose in the future.

13. As a result of the foregoing, Plaintiff, Matril Norris, has suffered physical pain, mental anguish, loss of life's pleasures and humiliation, and he may continue to suffer same for an indefinite period of time in the future.

14. As a result of the foregoing, Plaintiff, Matril Norris, has been prevented from attending to his usual activities of employment and has suffered and may suffer for an indefinite time in the future lost wages and future loss of earning capacity.

WHEREFORE, Plaintiff, Matril Norris, claims all legally recoverable damages from Defendants, together with the costs and disbursements of this action and delay damages.

COUNT II
BRENETTA NORRIS V. HARRAH'S
LOSS OF CONSORTIUM

15. Paragraphs 1 through 14 are hereby incorporated by reference as though fully set forth at length herein.

16. Plaintiff, Brenetta Norris, is the wife of Plaintiff, Matril Norris, and as such has also incurred expenses for the treatment of her husband's injuries and may in the future be caused to incur additional expenses as she has in the past.

17. As a result of the aforesaid occurrence, Plaintiff, Brenetta Norris, to her great detriment and loss, has been deprived the society, companionship, services and assistance of her husband, Plaintiff, David Keene, to which she is legally entitled.

WHEREFORE, Plaintiff, Brenetta Norris claims all legally recoverable damages from Defendants together with the costs and disbursements of this action and delay damages.


LAW OFFICES OF MITCHELL CLAIR

MITCHELL S. CLAIR, ESQUIRE
ATTORNEYFOR PLAINTIFF
I.D. #49492
790 PENLLYN PIKE
SUITE 206
BLUE BELL, PA 19422
(610) 940-5400

Dated: August 24, 2016